



**AGING PROGRAM DIRECTIVE OR AGING
TECHNICAL ASSISTANCE BULLETIN**

APD# 19-24-01	
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Program Area: Protective Services	Disposition: Active

Subject: Protective Services Investigative Requirements When an Older Adult Cannot Be Located

To: Pennsylvania Department of Aging
Area Agencies on Aging (AAA)
Pennsylvania Association of Area Agencies on Aging (P4A)

From: 
Robert Torres
Acting Secretary

Purpose: The purpose of this Aging Program Directive is to outline expectations and requirements for AAAs when an older adult cannot be located during a protective services investigation.

Background: Title 6 PA Code Chapter 15 §15.42(a)(1)(2) indicates that for each report the requirement is to ensure the safety of the older adult, which includes conducting a face-to-face visit. The timing of the face-to-face visit is outlined in the regulations and is dependent upon the categorization of the Report of Need (RON).

Directives: If an older adult is alleged to be in need of protective services and cannot be located, the AAA will make reasonable efforts to locate the older adult. Reasonable efforts shall include, but not be limited to:

- visits at various times of the day, night, on weekends and/or holidays
- contact with known relatives or friends

- telephone calls to contact the older adult; however, telephone calls do not replace the face-to-face visit required in the regulations
- utilizing collateral contacts to locate or facilitate a face-to-face visit with the older adult
- collaborating with law enforcement, if appropriate
 - If appropriate, it may be helpful to collaborate with local law enforcement to conduct a joint visit, particularly if there have been repeated unsuccessful attempts to conduct a face-to-face visit with the older adult at various times and/or locations. Law enforcement should also be used if there is a lack of cooperation from any party known to have information related to the investigation or whereabouts of the older adult (§15.61(a) & (c) access to the older adult is assured by law). Additionally, AAAs can contact law enforcement for safety concerns or if the AAA suspects/believes criminal activity may be taking place. Law enforcement may have access to other resources that can assist the AAAs in locating an older adult.

If the older adult cannot be located despite timely, varied, and repeated efforts of the AAA, and there is suspicion that the older adult may be missing, in danger, or vulnerable due to information contained in the report or obtained during the investigation, a missing persons report shall be immediately filed with local law enforcement.

In situations where the AAA concludes that the older adult is missing under unexplained, involuntary, or suspicious circumstances, or if the older adult is believed to be at special risk of harm or injury due to age, health, disabilities, weather conditions, or are known to be in the company of a potentially dangerous person or some other factor that puts the person in peril of serious injury or death, the AAA shall request law enforcement to contact PA State Police (PSP) to request the activation of a Missing Person Endangered Person Advisory (MEPA). It is very important that the AAA explain every detail that causes significant concern for the older adult. If PSP feels the situation rises to the appropriate level, they will activate and send the MEPA out to its distribution network.

The following information will be helpful for law enforcement to begin a search for the older adult.

- A physical description of the older adult or a recent photograph
- Identifying information such as eyeglasses, braces, marks, blemishes and scars, hair texture, tattoos, and any other unusual characteristics
- A description of what the person was known to be wearing the last time they were seen

- Details on when and where the person was last seen. If the older adult is suspected to be with another person, provide specific details on that individual
- A list of any known medical needs the missing person has such as cognitive impairment, asthma, depression, hearing aids, heart problems, medications, disabilities, psychological and communication needs, any mental health needs, etc.
- A list of friends and places frequented or habits of the older adult. Include full names, phone numbers, addresses, and work numbers
- Any vehicle information, such as what type and color of vehicle, license plate, who owns the vehicle, etc.
- Specific details that cause concern for the missing older adult

In no case should the AAA send correspondence to the older adult's last known physical or electronic address indicating that protective services has been attempting to reach them. This action could adversely increase the risk to the older adult and/or breach confidentiality if someone other than the older adult was to access the correspondence. Additionally, this approach does not meet the regulatory requirements outlined in §15.42(d) which states that the investigation of the report is completed only when the report has been determined to be substantiated or unsubstantiated and, if substantiated, after necessary steps have been taken to reduce an imminent risk to the older adult's person or property.

The following actions by the AAA should be well documented in the electronic SAMS record to support the AAA's reasonable efforts to locate the missing older adult:

- attempted contacts to older adult
- access to all known locations of older adult
- appropriate collateral contacts
- law enforcement contacts
- filing a missing persons report
- requests for updates from law enforcement
- supervisory consultations
- legal actions (access to persons), if applicable
- contacts to the PS Specialist

When a missing persons report has been filed:

A case where an older adult is unable to be located shall be terminated thirty (30) days from the date the missing persons report was filed with law enforcement. The case shall then be closed and maintained for six (6) months.

The AAA is not permitted to close a case simply because a missing persons report was filed with law enforcement. The AAA must continue to act as the investigative agency until the following requirements are fulfilled:

- the AAA has documented in the SAMS case record to have made appropriate attempts to reach the older adult at different times and days, and has accessed all known locations where the older adult frequently visits;
- no new activity at the older adult's residence has been identified (curtains now opened/closed, lights now on/off, etc.)
- the AAA has attempted to reach all known friends, family, and collateral contacts with no new information provided;
- a missing persons report is filed with law enforcement;
- all known information about the older adult (see above) has been provided to law enforcement;
- no new information has been obtained or law enforcement was not able to locate the older adult; and
- confirmation from the AAA's Director that all required steps have been met.

If law enforcement contacts the AAA with the location of the older adult within the six (6) month maintenance timeframe, the case shall be re-opened, and a comprehensive investigation shall be conducted into the allegations originally received, as well as exploring all other areas of abuse/neglect.

When a missing persons report has NOT been filed:

A case where an older adult is unable to be located, but there is no reason to suspect that the older adult is missing under suspicious circumstances and/or in danger, shall be terminated once the AAA has satisfied all actions listed below. The case shall be closed and maintained for six (6) months.

The AAA is not permitted to close a case simply because the older adult was not located, as §15.42 requires contact or at least one visit, depending upon whether the case is priority or nonpriority. The AAA must continue to act as the investigative agency until the following requirements are fulfilled:

- the AAA has documented in the SAMS case record to have made appropriate attempts to reach the older adult at different times and days, and has accessed all known locations where the older adult frequently visits;
- no new activity at the older adult's residence has been identified (curtains now opened/closed, lights now on/off, etc.)
- the AAA has attempted to reach all known friends, family, and collateral contacts with no new information provided;
- attempts to collaborate with law enforcement have been made;
- no new information has been obtained; and
- confirmation from the AAA's Director that all required steps have been met.

If new information about the location of the older adult becomes available within the six (6) month maintenance timeframe, the case shall be re-opened, and a comprehensive investigation shall be conducted into the allegations originally received, as well as exploring all other areas of abuse/neglect.

Documenting attempts to locate an Older Adult:

All attempts, including any details pertaining to efforts regarding initial and follow-up attempts to locate an older adult, must be documented in SAMS.

As with all documented reporting done in the course of fulfilling one's respective job responsibility, it is expected that statements entered into the SAMS data system are truthful. It is important to note any information submitted to SAMS with the intent to mislead a public servant in the commission of his or her duties and may be considered a falsification.